

REMARKS

In the Final Office Action¹, the Examiner rejected claims 23-31 and 37-42 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,894,306 to Ichimura (“*Ichimura*”), in view of U.S. Patent Application Publication No. 2002/0085759 to Davies et al. (“*Davies*”), in view of U.S. Patent No. 6,363,380 to Dimitrova (“*Dimitrova*”), and further in view of U.S. Patent No. 5,761,340 to Suzuki (“*Suzuki*”); and objected to claims 32-36 as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response to the Examiner’s indication of allowable subject matter in claims 32-36 (Office Action, p. 9), Applicants have cancelled claims 24, 25, and 32, without prejudice or disclaimer of their subject matter, and amended independent claims 23, 41, and 42 to include, respectively, the subject matter of claims 24, 25, and 32. Since the Examiner indicated that claims 32-36 “would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims” (Office Action, p. 9), Applicants submit these amendments render the application in condition for allowance.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 23, 26-31, and 33-42 in condition for allowance. Applicants submit that the proposed amendments of claims 23, 41, and 42

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

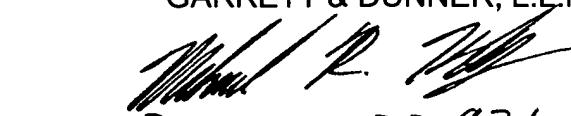
Customer No. 22,852
Attorney Docket No. 05225.0166-01
Application No. 10/634,768

Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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